

## **Refugees and cathartic politics. From human rights to the right to be human**

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### **Abstract**

Palestinian refugees in Lebanon are often described as living in a condition of waithood, suspended from law and awaiting return to their national homeland, where they will finally turn into qualified political lives. This frame, stemming from Hannah Arendt's legacy, fetishizes rights and the nation-state as the spheres where the human ceases to be a mere biological body subject to humanitarian relief and finally turns into a fully-fledged subject of rights. This article, on the other hand, interrogates the possibility of political lives in grey areas. It asks what conditions of being human are attainable in a context of juridical suspension? Can exile become grounds for an articulation of rights that overcomes the political, juridical and emotive national frame as the only space for existing in the world? I suggest understanding Palestinian refugees' political subjectivity in Lebanon today, not through the frame of defeat and demise -or as bare lives - (Agamben, 2005), but through the Gramscian lens of the cathartic moment. I explore the political work of catharsis as an emotional, moral and rhetorical form of collective outbreak from national frames. Through catharsis and paroxysm refugees expose the fallacies of humanitarianism and nation-state based conception of rights and instead articulate a novel imaginary of a borderless humanity as basis for politically qualified lives.

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*“Only if they remain perfectly superfluous, if nobody can be found to claim them, may their lives be in danger” (Hannah Arendt, The Origin of Totalitarianism, 1951).*

*“The utterance alone does not bring about the day, and yet it can set into motion a set of actions that can, under certain felicitous circumstances, bring the day around” (Butler, Performative Agency, 2010).*

## Introduction

Hassan is the founder of ‘people-to-people’, one of the many scattered bottom-up initiatives born in the refugee camps in Lebanon. In a small room transformed into an office within the semi-destroyed and war hit Gaza building of the Sabra gathering in Beirut, he works relentlessly to raise funds for families in need. The building is itself a material metaphor of temporariness and a signifier of Palestinian spatial confinement. It was built initially as part of a hospital complex, but was hit by Israeli bombs in 1982 and never completed. When the western side of Chatila camp was destroyed for the second time in 1985, by the Shi’a Amal backed militia, hundreds of Palestinian refugee families became once again homeless and settled in the unfinished hospital.

The Gaza hospital/home is the most unambiguous material and semantic exemplification - the symbolic habitat- of refugees’ precarious existence in Lebanon. Refugees resettlement (*tawteen*) in Lebanon became unconstitutional in 1992. The preamble of the Constitution amended by the Taif agreement of 22 October 1989 stated that there shall be “no fragmentation, partition, or *settlement* of non-Lebanese in Lebanon” (Suleiman, 2006:18). At the same time, the right of return has been

erased from the diplomatic process placing Palestinian refugees today in grey areas, suspended from nation-state rights and devoid of the revolutionary subjectivity of the Palestinian nationalist project. In the Gaza hospital, the *Nakba* (the catastrophe signifying the expulsion of Palestinians from their lands with the birth of the state of Israel) is not experienced as a singular historical event that ended in 1948 but has the ontological quality of an eternal recurrence in Nietzschean terms: recurrent cycles of legal, material and political dispossession. The multiple evictions, expulsions, and the destruction of camps and refugees' livelihoods in Lebanon (Tell El Za'atar Chatila, Sabra, Nahl-el-Bared among others) also meant that with time 'home' lost its connection to 'homeland' and acquired a nuanced reference to the last place one was forced to leave, as Hassan himself explains:

it was thought people would stay until they would return back to their homes in the camp...It was a temporary settlement since the mid 1980s but now people have been here for twenty-seven years, and they are still living here, and the situation is really difficult.

Most prominent in Hassan's account, however, is the anger and sarcasm, coupled with a profound sense of disbelief, towards the deceptive use of the right of return by both Palestinian and Lebanese political groups:

the Palestinian factions (*fasa'il*) have linked everything related to the rights of the Palestinians to the fear of resettlement (*tawteen*). There are negotiations occurring on the lands of 1967 and under the table, most likely, they have cancelled our right of return (*haq al 'awda*). However, they tell us that [rightlessness] is linked to [preventing] *tawteen* and it will allow us to return. They still tell us this, you know? The right of return, *tawteen* and so on. If these people who are representing me are saying this, my problem is how can I overcome all these people and work as an individual outside of that [frame]?

Since historically Israel has endeavored to impose the resettlement or naturalization of the Palestinians refugees with the aim of dismissing their right of return, *tawteen* – resettlement and access to rights- equated in the exiled collective imagination to a Zionist project of annihilation of the refugee question. Return and rights have hence over time become oppositional rhetoric within both the Palestinian leadership and the Lebanese parties' political visions.

While in the era immediately ensuing expulsion, the condition of temporariness carried the strong political message that refugees were not there to stay accepting the loss of their lands, homes, affections and memories, after decades of life in Lebanon - and with no short-term prospect of returning to their homes or homeland -the mantra of rights and return as incompatible has become the lexicon of Palestinians' juridical life as limbo.

Since the dismissal of the Palestinian refugee issue by the national leadership, (following the Oslo agreements in the early 1990s) *Tawteen* and return turned into simulacrum reminding refugees that they are orphans of both nation-state and of revolution. (Allan 2014; Peteet 2011, 2005; Sayigh 2011).

In this predicament, Palestinians in Lebanon vocalize their exasperation in the form of a catharsis, an emotional and political outbreak from the past political projects, narratives, and structures that have for decades been the soundtracks and signifiers of their existence in exile. Wafa, a volunteer in the women's center in Burj el Barajneh camp in urban Beirut coined a rhyme, which she recites with a sarcastic defiant smile: "(here the problem) is not *tawteen*...it is morphine..." providing a graphic representation of the condition of prolonged 'humanitarian-assisted' suspension from rights, as refugees are forced in a condition of waithood, mired between a betrayed right of return and the inability to settle (Suleiman 2012). During the same visit Wafa, the director of the women's centre - whose father was one of Arafat's bodyguards during the PLO revolution times- outburst in a sarcastic laughter when talking about the revolution: "Here it is *thawra hatta akhir ash-shahr* (revolution until the end of the month)" a grim reminder that Revolution, once the realm of Palestinian political subjectivity in exile, turned in the post-Oslo times merely into a money-making machine to earn a salary in a vacillating PLO apparatus. Juridical destitution and economic dispossession turned the moral economy of resistance in a cash economy of survival and death where political membership and martyrdom are re-signified and compensated with cash. (See also Allan, 2014)

This article is about the possibility of political lives in grey areas. It asks what conditions of being human are attainable in a context of juridical suspension where refugees' lives are kept on hold? Can exile become ground for an articulation and

imaginary of humanity that overcomes a political, juridical and emotive national frame as the only space for existing in the world? I suggest understanding Palestinian refugees' political subjectivity in Lebanon today not through the frame of defeat and demise -or as bare lives - (Agamben 2005), but through the lens of catharsis. I want to explore the political work of catharsis as an emotional, moral and rhetorical form of collective outbreak from dominant political structures and frames, which unsettle their hegemony by exposing their fallacies through paroxysm. Aristotle's elaboration of catharsis, as a tragic variety of pleasure ignited by the purification and healing from emotions of pity and fear as the purpose of classic Tragedy, has been used through literature, poetry art (see Rorty 1992). In psychotherapy catharsis is described as the emotional release of paralyzing effects and has found therapeutic use since Sigmund Freud (Kallendorf and Kallendorf 2012). In the context of psychological collective trauma, the healing power of cathartic narratives on the self has been particularly prominent and was used with World Wars I and II former combatants (Pizer 2016). Similarly, parody and humor as political tools that work through 'a vertigo-effect' destabilizing mainstream political narratives have also been explored in anthropological work (Marcus 1998, Bernal 2013). Here, however, it is the Gramscian notion of the cathartic moment that comes to bear. Cathartic moments happen when political hegemonic structures become intelligible by the oppressed not as perennial, but as mutable and reversible. Palestinian refugees, mostly ordinary people marginal to political offices and cadres, apprehend the discourse of rights and *tawteen* as a façade. In a country where distribution of resources is embedded in networks of patronage and sects, and that witnessed the increasing erasure of citizens' entitlements due to rampant global corporate capital, refugees understand their ban from rights in its mainly performative function, as discursively producing an otherwise vanishing notion of Lebanese citizenry<sup>1</sup> (Butler 2004, Peteet 2005).

The sovereign structures therefore are not deemed legitimate nor are they unchangeable. Rather they are 'historical facts' shaped under certain conditions and their hegemony is unsettled through the work of catharsis. This process positions refugees close to a subaltern social group who has become intellectually independent from the rulers in Gramscian terms. For Gramsci, the cathartic moment occurs when "structure ceases to be an external force which crushes man, assimilates him to itself and makes him passive; and is transformed into a means of freedom, an instrument to

create a new ethico-political form and a source of new initiatives.’’ (Gramsci, 1961:40 quoted in Thomas, 2009)<sup>2</sup>. If, as Gramsci notes, passions and feelings of common people in politics are central since intellectuals know but do not necessarily understand while ordinary people feel but do not always necessarily understand or know<sup>3</sup>, refugees’ cathartic politics represent a springboard for a chaotic but radical political imagination. Refugees’ affective and rhetorical shattering of national hegemonic discourses and structures that trapped them in a perennial limbo, exacerbating their destitution, is an ethico-political moment in Gramscian terms, leading to the formation of a political culture painfully freed from the mythologies of the nation-state.

### **A superfluous humanity**

In Chatila, a refugee camp in urban Beirut, one day some friends insisted that we meet with Abu Aiman. Abu Aiman is only in his late 50s but appeared older and very fragile. He is well known in the camp, especially among children, because for many years he walked up and down the tiny and labyrinthine alleys of Chatila selling cheap plastic toys made in China on his little cart. Abu Aiman is a *bidun* (literally: without). As a *bidun*, he is one of the few thousands of Palestinians who do not possess any legal, permit or travel document, a condition that applies to an estimated five thousand people. Abu Aiman does not exist for any jurisdiction or for any nation-state. His existence was forged through rejections, multiple exiles, humiliation, abandonment and erasure. Originally from Ras Al Manshieh, a village in the district of Gaza, his family fled in 1948 from the destruction of the war to Al Khalil in the West Bank, which they were forced to leave during the 1967 occupation: “The population of my village is for the most part outside of Palestine today: in Jordan, Syria and Lebanon; some have left towards the West, while a small number remains in Al Khalil. I was born in Al Khalil” he recounts while sitting in the house of his close friend and neighbor, Abu Omar, in Chatila camp.

In 1976, after obtaining his high school diploma, Abu Aiman moved to Jordan and then left to study in Turkey, where he graduated in civil engineering from the Technical University of the Middle East in Ankara. During his studies, he became involved with the Palestinian revolution, and when he attempted to re-enter Jordan,

where his family sought refuge in 1967, he was rejected at the border. Abu Aiman then followed the resistance movement, first in Iraq; subsequently in Syria, and then, in 1983, he came to Lebanon, where he married a Palestinian woman and had seven children.

Being a *bidun* in the Palestinian exilic time and history means deprivation of not only legal life but also of political subjectivity, of humanity, as he explains:

I'm part of a few thousands who came to Lebanon with the Palestinian revolution (*thawra*) because the states we came from were no longer willing to give us documents, they no longer recognized us. We are Palestinians from Jordan and from Egypt, among others.

Those like Abu Aiman once “existed” as fully fledged political subjects within a revolutionary space; however, as that realm was eclipsed, they turned into ghosts of an unfinished revolution. Juridical precariousness penetrates the most intimate realms of life, generating a disarming and overwhelming vulnerability that is at once political and personal. Abu Aiman recalls how the legal limbo led to his daughter's inability to marry and start a family: “One of my daughters was going to marry a man here from the camp; but one of the issues which prevented this from happening is the fact that she does not have any identification card. So, what can one do?” Abu Omar then interjects, barely able to contain his rage for his friend's condition which epitomizes that of several thousands like him: “Imagine, he's been in the country for 40 years, and he can't register them (his children)!! 40 years!”. Abu Aiman takes stage again vividly portraying the perceived paralysis deriving from being juridically erased:

The Palestinian cannot do anything, he cannot get married...if you want to go to Tripoli even, they ask about your I.D. – and you don't have one. The student who wants to register at school, at university, he cannot do so without an identification card. Meaning: all aspects of life are impossible.

Abu Aiman is the embodiment of a spectral political-bureaucratic, post-revolutionary, and post-colonial order that has constructed some lives as superfluous and inscribed them in a humanitarian realm. As a *bidun*, Abu Aiman epitomises a de-humanised subject in Arendt's terms. In her remarkable and influential analysis of the predicament of refugees and statelessness in post-war Europe, Arendt (1951) asserted that there is no humanity outside of membership in a sovereign nation-state or a political community, where one is reduced to just a mere biological body. The most



poignant illustration of the stateless subject as not more than a mere body, a non-qualified political life, adds Giorgio Agamben in *Homo Sacer* (1995), is that those destined to die in Nazi Germany were first de-nationalised: “a condition of complete rightlessness was created before the right to live was challenged”. For Arendt, the opinion of the stateless does not matter: it is at best a “a fool’s freedom” for nothing of what a mere biological body thinks “matters anyhow” (1951:300) and even if some limited maneuver exists within extra juridical spaces like camps, and refugees or stateless are provided with some basic necessities, their rightlessness places them in an arbitrary humanitarian or human rights realm. They are mere biological bodies that could be relieved from some pain or could be fed, but there is “no law than could force the nation to feed them” (Arendt 1951). The loss of rights for refugees therefore is the loss of the essential condition of humanity in the Aristotelian sense, where humanity is derived from a human’s prerogative to speak and think and be listened to, a condition that is enabled only through membership in a shared polis such as the nation-state. When stateless are made completely superfluous, in the sense that no state wishes to claim them, their lives are in danger.

Echoing Hannah Arendt’s insight, in the aftermath of the massacres of the camps, exiled poet Mahmud Darwish wrote of the plight of Palestinians in terms of a “superfluous nation” (Darwish 1985). A few years earlier, in 1982, the Lebanese right-wing Christian president Bashir Gemayel had defined the Palestinians as a “people too many”, a concept that tragically echoed Israeli ethnic cleansing designs (Ṭarābulsī 2007: 224). The pronouncement was soon followed by acts in 1982 when, following the Israeli invasion of Lebanon, the PLO left the country where it had maintained its headquarters since the 1970s, leaving refugees and former PLO militants like Abu Aiman, behind with no political and military protection. Immediately after the PLO departure, a Christian Maronite militia backed by Israel reduced to rubble the Sabra and Chatila camps in urban Beirut, killing thousands of entrapped refugees. A further devastating offensive against the refugees in the camps took place between 1985 and 1997, during “the war of the camps”, this time at the hand of the Syrian-backed Amal Shi’a groups, resulting in thousands of refugees deaths.

A country that came into existence as an independent national entity in 1920 as a result of colonial designs, Lebanon had been struggling to fabricate a collective



founding nationalist myth (Ṭarābulṣī 2007: 75). Sectarian cleavages and regional influences were embedded in a precarious nation-building process with Palestinians becoming the constitutive and shifting ‘other’ of a precarious and fictive Lebanese citizenship.

Starting with the war of the camps, what was once an extreme position, that is, blaming the Palestinians for the civil war and the 1982 Israeli invasion, became mainstream in the contemporary Lebanese political landscape. This climate of hostility provided the ground for a drastic further outlawing of refugees and their reduction to a security threat (Sayigh 1997: 39). One of the actual reasons leading to the surveillance by the *Deuxième Bureau* (the political police) and securitization of Palestinians, however, was their overwhelming sympathy towards pan-Arabism after Nasser took power in Egypt. Although predominantly Sunni, Palestinians were a national resistance movement with a progressive and secular identity and thus were perceived as a threat to both the sectarian politics and demography of the country, as well as to the ideologies of the wealthy and conservative powers-that-be (Sayigh 2007; Peteet 2005; Feldman 2010; Knudsen 2007; Knudsen and Hanafi 2010). It is not incidental that in 1983, immediately after the expulsion of the PLO, the Ministry of Labor issued a decree banning Palestinians from working in the state and in the formal sector. Since then, refugees in Lebanon have been prevented from most professions and from accessing the even limited available social welfare. This decree was justified by referring to the legislation regulating foreign labor and access to social welfare in Lebanon. Employment in dozens of professions (e.g., medicine, law and pharmacology) was restricted to persons who held Lebanese citizenship for at least ten years and to the existence of reciprocal employment opportunities for Lebanese in the foreigner’s country of origin. Similarly, access to social welfare benefits was made available only to foreigners whose country of origin provided reciprocal benefits to Lebanese citizens (Raffonelli 2003; Said 2001; Takkenberg 1998, Bocco and Al Hussein 2011)<sup>4</sup>.

One of the most significant tools of erasure was most notably the impossibility to own property or land, once again legitimated through the unconstitutionality of resettlement (*tawteen*)<sup>5</sup> In 2001, a decree was passed that “prohibited to any person who is not a national of a recognized state, or anyone whose ownership of property is contrary to the provisions of the Constitution relating to *tawteen*, to acquire real estate property of any kind” (Suleiman 2006: 19). While foreigners can buy properties with

a special permission and by paying extra fees, Palestinians are constructed by the law as “exceptional” foreigners by virtue of their statelessness.

### **“We want to live in dignity, to return”. The fallacy of human rights**

The desperate predicament of refugees and their realization that return was as remote a project as armed revolution and liberation led to a campaign for ‘human rights’ which was particularly prominent between 2005 and 2010. A right-to-work coalition, which included several Palestinian and Lebanese civil society organizations, international NGOs and the recently created Committee for the Employment of Palestinians, was formed (Bianchi 2014) with particular emphasis on the right to work.<sup>6</sup> A draft bill on the right to work for Palestinian refugees was prepared and submitted to the Lebanese authorities as a result of the concerted efforts of several Lebanese and Palestinian organizations, party members, the PLO representative and the Committee for the Employment of Palestinians (CEP) together with the Lebanese Palestinian Dialogue Committee (LPDC) (Bianchi 2014). The campaign openly deviated from the political traps of *tawteen* and embraced the lexicon of discrimination, human rights and international law. For example, it emphasized the discrimination of Palestinians resulting from what the campaigners presented as contradictions between Lebanese national legislation and international treaties. Analogously, the campaigners aimed at shifting the public discourse around the Palestinian presence in Lebanon by focusing on their contribution to the Lebanese economy as a legitimate basis for claiming rights to social security provisions.

Palestinian factions showed their inability to have a united agenda, significantly divided on the rights’ question along the usual Lebanese sectarian lines and loyalties which opposed the PLO (pro-Future Party) to *Tahalof* (pro-Syrian and Syrian-Lebanese factions). On the other hand, Lebanese political parties from all sectarian and political orientations coalesced around the general attitude of proposing limited, far from significant, amendments to the laws, enough to just afford the refugees registered with the Ministry of Interior some access to social security provisions. Some sectors, especially the Christian and Phalange parties, remained aggressively against conceding any type of entitlement to the Palestinians.

After a two-months heated debate in the Lebanese Parliament, the Palestinians obtained only cosmetic changes that were limited to a selective lifting of the costly work permits and the reciprocity clause for some salaried work. Finally, a separate extra fund for supporting the end-of-treatment work for the Palestinians was established. Yet, the less hostile Lebanese parties made sure not to credit Palestinian campaigners for even these minimal gains, denying them any political humanity while the Christian and Phalange parties vehemently and fiercely opposed the change in legislation (Bianchi 2014).

Most significantly, Palestinian NGOs have had to underscore that human rights would be not to stay, but to return to the homeland. (Cassel 2010). “We want to live in dignity, to return” was the slogan of the rally organized by the right-to-work coalition, in 2010, a statement that un-mistakenly mirrored the connotation of ‘human rights’ as mere devices of relief from some suffering, the rights of the right-less in Arendtian terms. In the human rights campaign, host and homeland became part of a cosmological order where qualified political life and personhood is postponed to an unreachable “return to a future” in a homeland yet to be liberated, while the present continued to be shaped by hopelessness and, at best, some humanitarian relief or limited rights. (Brown 2004)

In focusing on “human rights to return”, furthermore, the campaign’s vision clearly inscribed itself into a humanitarian epistemology, a semantic and political field that perpetuates the de-humanization of refugees, failing to set in motion a political or transformative effect (Brown 2004). Highly and equally symbolic was the spatial confinement of the body politic of the demonstrators, who were not allowed to converge outside the Lebanese parliament, signifying the refusal by the Lebanese sovereign ‘to listen’ to refugees’ claims, marking their invisibility. The rally, which was endorsed by more than 100 Palestinian, Lebanese and international non-governmental organizations in Lebanon, had to gather outside the United Nations headquarters (Cassel 2010), as to emphasize that any concession would be just “humanitarian”, the only sphere where Palestinian refugees’ existence is allowed.

Yet, this is by far not the only or predominant imaginary. Ordinary people, Palestinian refugees in and out of camps, in their everyday practices and thoughts offer more radical visions, that exit, cathartically, the human rights consensus (Hopgood 2013). As we will see below, these visions destabilize the existing nation-

state bounded framework which delegates political life and full rights to the return to the homeland, and likewise break free from the “humanitarian” field of existence.

### **Refugees as a Humanitarian “class”**

Scholarly work on the fallacies of humanitarianism has been abundant (Barnett and Weiss 2008, Feldman, 2016, Gabiam 2016). The demise of the ‘humanitarian reason’ (Fassin 2012) and of the ‘Global Human Right Regime’ (Hopgood 2014) features constantly also in refugees’ critiques. These underscore the intertwined relation between neo-liberal governance and humanitarian interventions, which effect is to turn dispossessed refugees into a ‘humanitarian class’.

Many Palestinians emphasize the nexus between neo-liberalism, docility and humanitarianism. Marwan, a young dweller of the Sabra gathering working with Hassan, argues that since the early 1990s:

the neo-liberal economy introduced by Hariri took the militancy away from the Palestinians and made us into an obedience economy...The NGOs get the agenda from the Europeans, to train English speaking, democracy loving, and they control the community, we’ve become a class.

Yet, a myriad of initiatives exists in and outside camps that attempt to restore the passive humanitarian body to a re-humanized radical subject with political agency. Hassan’s people-to-people project is emblematic of such trajectories and is one among many similar small-scale initiatives by camp dwellers. Together with a group of other young refugees and Palestinians to whom he is connected in the Diaspora, Hassan started the people-to-people project to support ordinary people eluding what, during our conversation, he defined as “the humanitarian and NGOs corrupted and self-referential system”. Hassan explains the ethos of his idea:

There are those Palestinian and Lebanese organizations who work and hold workshops, but that is theft. For example, I know of people who would hold a workshop about embroidery, the embroidered dress (*thob*) will be worth \$3000, with a Yaffa style embroidery, but the lady who put all her work would only make \$50 and the equipment costs \$50, so the organization steals \$2900 at the end of the day. When we decided to work on reviving the folkloric

traditions, we said: if producing it costs \$100, \$80 will go to the woman, \$10 for the equipment, \$10 as a donation to the people. This is how we want to work.

Deprived from work and suspended from law, Hassan and others are seeking ways to support themselves that are independent from the humanitarian system and that can overcome the ban from work that they are subject to. In this example, the reference is to how humanitarian agencies are set up to their own benefit and logic, with the subjects of assistance turned into a de-centralized and exploited remote trait of a 'corrupted system and infrastructure'. Projects like Hassan's, on the other hand, are small scale and centered on what each and every individual can do and offer to the community. Selling agricultural products from the twelve Palestinian camps and informal gatherings in the south of the country or embroidery escaping the exploitative mediation of the humanitarian apparatus, which appropriates the surplus of refugees' work, are identified by Hassan who mocks sarcastically the humanitarian infrastructure and political culture:

we have our office in Daouk. We meet under the tree...The organizations give you rules and regulations - you must be a member, and you must give it part of what you make. No, I am not prepared to give the organization 30% of what I make. If our name is from people to people, 100% of what we do should be given to people.

The parody of the 'human rights' regime and its language is an omnipresent theme among young refugees. Hassan provides once again one of the most lucid debunking of the 'human rights' discourse:

the Norwegian aid tells us we should be 'democratic' and they talk about 'gender relations'... I'll get \$10.000 if I tell Palestinian men they should not let their wives lift heavy things. Men should lift them! This is what our NGOs are told to do...we are told to listen and listen, this is conflict resolution... well...the Palestinians here don't need gender nor conflict resolution ...

Hassan and Marwan exemplify with brutal frankness the distance of ordinary refugees from the language and priorities of the NGO and humanitarian led discourse and practice. Instead, refugees developed what could be termed as a refugee class consciousness, exemplified by the endless search of ways to be human not only in the face of political and legal dispossession, but also beyond the exclusionary operations of power of the nation-state. This is also the focus of the next section.

### **Being human beyond human rights**

Maha, a woman in her fifties living in Bourj Al Barajneh camp in urban Beirut, is clear about how the rhetoric of *tawteen* and the keeping Palestinians in a limbo does not aim at supporting the right of return but it is a performative tool of exclusion: “The story is not about *tawteen* or not, but that we get our rights. That we are treated like humans”, she said as the concluding statement of a long conversation about her political visions and her hopes, her disillusion and desperation. Maha breaks free of the discursive prohibition of *tawteen* and resolutely anchors her right to have rights, including the right to return, to her humanity, rather than to any nationality. Hassan adds a further lens by conveying rage and frustration at the disjuncture between humanity and rights operated by the state and the factions:

We are affected by the situation within the country. We are not free to speak openly or to plan and implement – this exhausts us. Yes, okay, we can make a campaign to protect our rights, saying that you have a right to work as a Palestinian. However, of course, the awareness of these rights comes naturally to all of us! We all know we have the rights to work, to marry, to own a house. People know that they have these rights naturally; they know that they should have these rights. However, these things are discussed outside of our abilities, and the Palestinian *fasa'il* (factions) and their links to the Lebanese state determine everything. The Lebanese state has the authority, the final say.

Although human rights are represented – in Hassan’s and Maha’s visions – as attributes of the very fact of being human, the sovereign arbitrarily suspends or nullifies them, and yet this applied to both refugees and nationals.

...but here too, there are many internal problems, when these are not even sorted out [for the Lebanese] how can we get anything? There isn’t just one group or sect in Lebanon. Today, as a Palestinian, if my relationship with Hezbollah is good, that means it is bad with the Future Party. For example, Tahaluf is closer to Hezbollah, and the *munathamma* [PLO] is closer to the Future Party, being Sunni and all, Ja’ja’ and all. And history has proven that all of these parties do not care about the Palestinian people, without exception. Throughout history, we were the ones whom they have allied against, and perhaps this resulted in their unity.

Palestinians play in Hassan’s view a crucial role in naturalizing a precarious national identity in a country that is otherwise deeply fractured and where neo-liberalism and a

war economy are responsible for a vast and increasing gap between rich and poor, across exiles and nationals alike (see also Hanieh 2016). Along with sectarianism, in Lebanon rampant privatization and neo-liberal economic policies have precipitated the erasure of people's entitlements. The transformation of sovereignty under global forces has led to the emergence of 'corporate citizens'- or citizens as clients- (Ong 1996), especially as individuals or corporations from rich Gulf countries inject money into the economy and are entitled to buy and own increased portions of the country, becoming more entrenched in sovereignty and rights than the majority of Lebanese nationals, who subsist on less than 3 dollars a day.

Everyday refugees and deprived Lebanese witness corporate capitals acquiring parts of the country's resources, and urban Beirut becoming a Gulf or corporate property. Privatization of public space and ensuing residents' evictions are perhaps the clearest manifestation of how sects and capitals are essentially the governing principles in the access of entitlements (Bekdache 2015), widening social and class hierarchies and cleavages (Harb et al. 2012).

While Palestinians understand clearly the processes that turned them into a superfluous humanity, a stateless community mired in "a politics of life" (Fassin 2010) they are far from internalizing the hegemonic operationalization of (human) rights. Both Hassan and Maha offer examples of how refugees exist cathartically the hegemonic consensus that rightlessness is related to the preservation of the right of return or results from Palestinians' not being nationals. We have in Hassan's vision the realization that rights themselves, far from being a panacea, are illusionary and 'thin distillations of democracy' (Comaroffs 2006:4) and do not equip people with the 'power to shape collective justice and national aims' (Brown, 2004:459). Rights are void and unfulfilled for all but the wealthy, Lebanese or non. This propels a novel imaginary, one that underscores the fallacies of the post-colonial state project and dislodges its premises.

Let us go back to Abu Omar and Abu Aiman and their accounts of erasure. In 2013, the PLO and the Lebanese authorities agreed to issue identity cards to some *bidun*; however, this process was performed randomly and arbitrarily denoting the function of human rights as central devices within regimes of fears and regulation. Still, Abu



Aiman was ‘lucky’, he stated, and now has an identity card that allows him to travel within the country and that must be renewed every year, which he refers to as a ‘humanitarian’ concession. The document, however, reads as *Identification card for Palestinians who have no original identification cards* Abu Aiman notes with a sarcastic tone underlining the paradoxical semantics of Palestinian extra-juridical life and the charade of bio-political tools.

Although Abu Aiman earlier had apprehended his life as *bidun* in terms of accepting his fate as a stateless subject, entitled to merely some humanitarian relief, there is concomitantly another potent vision in Abu Aiman and his host’s narratives - vision anchored in an exilic structure of feeling (Williams 1977)- which unsettles and exists the nation-territory nexus on who is entitled to rights:

Once a Lebanese asked me why was I not in Jordan? I’ve been in Lebanon since before you were born! I shouted at him! They treat you as a foreigner, and they blame the Palestinians for anything that happens. It’s an awful situation...*and I’ve been in Lebanon longer than the Lebanese!*

Abu Aiman adds:

...they consider us foreigners, but even the foreigners have more rights than us. The foreigner has the right to own, to buy...the Palestinian has no rights whatsoever in Lebanon. This discrimination, they say, is because you’ll go back to Palestine. Fair, but I am a human being, I want to live.

Here, the idea trapping that the suspension of one’s rights is the precondition for return is counter-posed to the more universalizing notion that refugees embody a humanity that pre-exists borders, nation-states and their bio-political technologies of control. The material actuality of borders, citizenship, states - and the devices that accompany and legitimize these apparatuses - is apprehended as bogus, if not altogether illegitimate and should be reversible. The notion of Palestinians as ‘foreign’ to the land is radically rejected, and human rights are re-articulated as *right to be human*. Abu Omar’s powerful statement of having been there longer, before state borders were created and normalized, is at the core of this articulation. Abu Aiman’s “Fine. But I am a human. I want to live” analogously makes redundant the hegemonic, nation-state bounded, politics of rights.

These and other fields of thoughts by Palestinians stem from, and in turn forge, a political subjectivity that takes the lived experience of exile as raw food for thought and action. The notion of exile as cathartic politics is embodied by a specific articulation of rights as rights to stay, to return, to be human here, there or wherever one lives (Salih and Richter-Devroe, forthcoming).

### **Conclusion: cathartic politics and the right to humanity**

This article asked what kind of political lives are attainable in the interstices of nation-state regimes and national imaginaries? What claims are articulated and what notions of humanity can emerge in a condition of statelessness? Positioned at the margin of nation-state projects and relinquished by the Revolution, refugees have developed visions around humanity and rights that cathartically exit and unsettle the hegemonic national and statist rhetoric of *tawteen*, while also rejecting their being hostage, rather than agents, of the right of return. Their juridical nakedness (Buonamano 2006) becomes the fertile ground for refugees' feeling and knowing, in Gramscian terms, about the antinomies of the nation-state.

But what political visions are refugees invoking when they state: we are human? Are these calls to a right to be human, rather than "human rights", political? (Hopgood 2014)? Can there be claims "from outside the discourse of 'human rights' that avoid its perplexities" (Balfour and Cadava 2004: 293)?

Hannah Arendt in her 'Origins of Totalitarianism' demystified the rights of man, which had become the rights of those who have no rights, those who have no properties other than being human, a debunking that Jacques Rancière later conveyed in terms of the 'derision of rights'. (2004: 298) Analogously, Agamben's work traces the betrayed trajectory of the human as the foundational inscription of the Declaration of the Rights of Man and of the Citizen. Before the Declaration, humanity was the basis for political exclusion, while the Declaration inscribes the very fact of existing as a basis for rights<sup>7</sup>. Yet, Agamben notably crucially sees the contemporary refugee as the transfiguration of the *homo sacer* of Roman times, the sacred life that could be sacrificed, killed, because void of political value.

Departing from Arendt and Agamben, I take Feldman and Ticktin's (2010: 3) insightful suggestion to examine the diverse effects of the deployment of humanity. If mobilized in the context of sheer marginalization, as demands for some good, like in the NGO campaign described above, human rights are mere mechanisms of regulations and control, reducing refugees to docile subjects or even producing - as Hassan, Marwan and the others here poignantly suggested- a 'humanitarian class', a class void of consciousness and political agency. When simply demanding minimal protection of basic rights to work, to move, to some physical integrity and to relief from some pain, what Ignatieff would define as "a systematic agenda of negative liberty" (Ignatieff cited in Brown 2004: 454) 'human rights' remain heavily encroached with moral claims to 'human dignity' and result in calls to readdress merely what is 'irreducibly' wrong.

On the other hand, I argue, the *right to humanity* is a vision that re-politicizes the rupture between humans and rights, exposing the illegitimacy of that disjunction. The right to humanity "put to test", to use Ranciere's (2004: 304) notion, the division between man and citizen, unveiling and politicizing the disjunction between humanity and rights. (Feldman 2012).

Turning to the initial question of whether these articulations are transformative, I suggest that although not always overtly subversive or translating into oppositional political practices, Palestinians' critical thinking and sarcastic rhetoric represent an instance of cathartic politics. Refugees cathartic politics emerges from the formation of a "consciousness of their own social being, their own strength, their own tasks, their own becoming" (Gramsci 1971). This cathartic moment could be the prelude to action, what Gramsci calls "the formative element of the historical capacity to act".

In anchoring their claims into an imaginary that transcends the nation-state's notion of rights, these exiled actors remake themselves as political subjects and destabilize the "established framework within which public politics proceeds, facilitating a certain crisis in the framework, posing anew the question of what can and cannot intelligibly take place within that framework" (Butler 2010: 155).

To conclude, I am prompted to suggest, with Wendy Brown that the transformative potential of such articulations is what defines their political nature. As Brown stresses, we need to ask “what kind of politicization they *set in motion* against the powers they oppose. Do they stand for a different formulation of justice or do they stand in opposition to collective justice projects?” (2004: 454). Refugees affirm that humanity, a condition *of being-beyond belonging-* to a nation-state, should be the legitimate grounds for a political life. In calling for humanity as the condition for existing as political subjects, refugees produce a dissensus (Rancière 2004), unveiling the performative and disciplining function of the law, and challenging the lethal function of rights (*tawteen*). They are, in sum, exiting the classic national framework, which has proven simultaneously a lure and a trap for them.



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<sup>1</sup> The “charter of national reconciliation” signed at the end of the civil war in 1989 was premised on the constructions of Palestinians as undesirable and responsible for the two decades long civil war (Peteet 2005).

<sup>2</sup> Gramsci in the Italian edition of *Quaderni dal Carcere* writes: “La struttura da’ forza esteriore che schiaccia l’uomo, lo assimila a sé, lo rende passivo, si trasforma in mezzo di libertà, strumento per creare una nuova forma etico-politica, in origine di nuove iniziative” (Q. 10, 2 p.40 Einaudi Editore)

<sup>3</sup> “L’elemento popolare ‘sente’, ma non sempre comprende o sa; l’elemento intellettuale ‘sa’, ma non sempre comprende e specialmente ‘sente’ . (Quaderni, XVIII p. 115 Einaudi Editore)

<sup>4</sup> Only in 2005 were these clauses lifted slightly for the Palestinians, through a ‘decision’ by the then-Lebanese Labor Minister Hamada, who was considered close to Hezbollah. Subsequently, Palestinian refugees were allowed to work in a number of previously restricted fields – for example, as clerks and security guards; however, the conditions for employment in certain professions -Lebanese citizenship for 10 years and reciprocity - remained unchanged, making the lifting of the ban hardly substantial. Palestinians were still to obtain a work permit from the relevant ministry and pay the required, very high, fees. Discrimination in social welfare programs remained the same, with Palestinian refugees still being required to contribute to Lebanon’s social welfare programs but being unable to claim any benefits (Natour 2005).

<sup>5</sup> In 1969, a legislative decree that regulated the right to buy and own property for foreigners in Lebanon was passed. According to this provision, foreigners could buy property within a certain limit, provided that they obtained a license through a decree issued by the council of Ministers of Cabinet, based on the recommendation of the Minister of Finance. Article 3 of the decree allowed foreigners of Arab countries to own property without license, provided that they paid a higher fee compared to nationals (Al-Natour 1997: 373).

<sup>6</sup> This campaign was supported by a shift in UNRWA’s mandate from mere relief to protection in the early 2000s and by a slight change of attitude of the Palestine Liberation Organization, which eased its understanding of access to rights as a Zionist project, and began supporting the demand for the right to work for Palestinian refugees. (Bocco and Al Hussein 2011; Knudsen 2007; Takkenberg 1998).

<sup>7</sup> As Maslan (2004: 364) argues in an illuminating essay analyzing Corneille’s tragedy *Horace* (1640) a crucial tragedy in the French literary tradition prior to the Declaration – the first pure tragedy is precisely ‘the tragedy of the divorce of citizen from man and of man’s repression’. Before the violent separation – over the course of the seventeenth and eighteenth centuries – the human, as body and sentiments, was central to the conceptualization of rights. Specifically, the human body, “not as a body to be fed, nor as a producer of labor, nor as an object of demographic concern”, not as a bio-politic in sum but “as the locus of sensibility, of feeling, and consequently of sympathy began to intrude into and to remake the political imagination” (362). Indeed, the tale of the transformation of Rome into a state is the story of the violent rejection and suppression of humanity symbolized by familial ties, sentiments and care. Horace, who symbolizes this transformation of Rome, becomes a citizen through the rejection and suppression of familial ties and through the violent repression of his humanity, understood not as human body, but as a site of sensibilities, feelings and sentiments. Curia, on the other hand, incarnates both the human and the citizen. He symbolizes another political imagining, where the human and the citizen are not separated.